

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1001(ss) be amended to read as follows:

- 1       Page 84, delete line 37, begin a new line double block indented and  
2       insert:  
3       **"Other Operating Expense   6,439,250,000   6,610,650,000".**  
4       Page 85, between lines 11 and 12, begin a new paragraph and insert:  
5       **"NEW FACILITY ADJUSTMENT DISTRIBUTIONS**  
6       **(IC 20-43-11.5)**  
7       **Other Operating Expense   10,000,000   10,000,000".**  
8       Page 88, line 12, delete "19,200,000   0" and insert **"38,400,000**  
9       **38,400,000".**  
10      Page 295, delete lines 6 through 17, begin a new paragraph and  
11      insert:  
12      "SECTION 277. IC 20-43-1-18.5 IS ADDED TO THE INDIANA  
13      CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
14      [EFFECTIVE JANUARY 1, 2010]: **Sec. 18.5. "New facility appeal**  
15      **grant" refers to the amount determined under IC 20-43-11.5."**  
16      Page 295, delete lines 22 through 48, begin a new paragraph and  
17      insert:  
18      "SECTION 279. IC 20-43-2-2, AS AMENDED BY P.L.146-2008,  
19      SECTION 482, IS AMENDED TO READ AS FOLLOWS  
20      [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 2. The  
21      maximum state distribution for a calendar year for all school  
22      corporations for the purposes described in section 3 of this chapter is:  
23      ~~(1) three billion eight hundred twelve million five hundred~~  
24      ~~thousand dollars (\$3,812,500,000) in 2007;~~  
25      ~~(2) three billion nine hundred sixty million nine hundred thousand~~  
26      ~~dollars (\$3,960,900,000) in 2008; and~~  
27      ~~(3) (1) six five billion five eight hundred nine thirty-seven~~  
28      ~~million eight hundred thousand dollars (\$6,509,000,000)~~  
29      ~~(\$5,837,800,000) in 2009;~~  
30      **(2) six billion five hundred seventy-six million seven hundred**  
31      **thousand dollars (\$6,576,700,000) in 2010; and**

**(3) six billion six hundred forty-four million six hundred thousand dollars (\$6,644,600,000) in 2011."**

Page 296, between lines 23 and 24, begin a new line double block indented and insert:

**"(D) The school corporation's new facility appeal grant for the immediately preceding calendar year (if any)."**

Page 296, delete lines 42 through 48, begin a new paragraph and insert:

"SECTION 284. IC 20-43-4-7, AS AMENDED BY P.L.234-2007, SECTION 240, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 7. (a) This subsection does not apply to a charter school. When calculating adjusted ADM for ~~2008~~ **2010** distributions, this subsection, as effective after December 31, ~~2007~~, **2009**, shall be used to calculate the adjusted ADM for the previous year rather than the calculation used to calculate adjusted ADM for ~~2007~~ **2009** distributions. For purposes of this article, a school corporation's "adjusted ADM" for the current year is the result determined under the following formula:

STEP ONE: Determine the sum of the following:

- (A) The school corporation's ADM for the year preceding the current year by four (4) years multiplied by two-tenths (0.2).
- (B) The school corporation's ADM for the year preceding the current year by three (3) years multiplied by two-tenths (0.2).
- (C) The school corporation's ADM for the year preceding the current year by two (2) years multiplied by two-tenths (0.2).
- (D) The school corporation's ADM for the year preceding the current year by one (1) year multiplied by two-tenths (0.2).
- (E) The school corporation's ADM for the current year multiplied by two-tenths (0.2).

STEP TWO: ~~Determine the school corporation's ADM for the current year.~~ **Determine the following:**

**(A) If the school corporation's ADM for the year preceding the current year is less than the school corporation's current ADM, determine the sum of:**

- (i) the school corporation's ADM for the year preceding the current year by one (1) year; and**
- (ii) eight-tenths (0.8) multiplied by the result of the school corporation's ADM for the current year minus the school corporation's ADM for the year preceding the current year by one (1) year.**

**(B) If the current ADM is less than or equal to the ADM for the year preceding the current year, the current ADM.**

STEP THREE: Determine the greater of the following:

- (A) The STEP ONE result.
- (B) The STEP TWO result.

(b) A charter school's adjusted ADM for purposes of this article is the charter school's current ADM.

SECTION 385. IC 20-43-5-3, AS AMENDED BY P.L.3-2008,  
SECTION 125, IS AMENDED TO READ AS FOLLOWS  
[EFFECTIVE JANUARY 1, 2010]: Sec. 3. A school corporation's  
complexity index is determined under the following formula:

STEP ONE: Determine the greater of zero (0) or the result of the  
following:

(1) Determine the percentage of the school corporation's  
students who were eligible for free or reduced price lunches in  
the school year ending in the later of ~~2007~~ **2009** or the first  
year of operation of the school corporation.

(2) Determine the quotient of:

~~(A) in 2008:~~

~~(i) two thousand two hundred fifty dollars (\$2,250); divided  
by~~

~~(ii) four thousand seven hundred ninety dollars (\$4,790);  
and~~

~~(B) (A) in 2009:~~

~~(i) two thousand four hundred dollars (\$2,400); divided by~~

~~(ii) four thousand eight hundred twenty-five dollars  
(\$4,825);~~

**(B) in 2010:**

**(i) two thousand three hundred eighteen dollars (\$2,318);  
divided by**

**(ii) four thousand six hundred sixty dollars (\$4,660); and**

**(C) in 2011:**

**(i) two thousand two hundred seventy-eight dollars  
(\$2,278); divided by**

**(ii) four thousand five hundred eighty dollars (\$4,580).**

(3) Determine the product of:

(A) the subdivision (1) amount; multiplied by

(B) the subdivision (2) amount.

STEP TWO: Determine the result of one (1) plus the STEP ONE  
result.

STEP THREE: This STEP applies if the STEP TWO result is  
equal to or greater than at least one and twenty-five hundredths  
(1.25). Determine the result of the following:

(1) Subtract one and twenty-five hundredths (1.25) from the  
STEP TWO result.

(2) Determine the result of:

(A) the STEP TWO result; plus

(B) the subdivision (1) result.

The data to be used in making the calculations under STEP ONE must  
be the data collected in the annual pupil enrollment count by the  
department.

SECTION 350. IC 20-43-5-4, AS AMENDED BY P.L.234-2007,  
SECTION 244, IS AMENDED TO READ AS FOLLOWS  
[EFFECTIVE JANUARY 1, 2010]: Sec. 4. A school corporation's

foundation amount for a calendar year is the result determined under STEP TWO of the following formula:

STEP ONE: Determine:

~~(A) in 2008; four thousand seven hundred ninety dollars (\$4,790); or~~

~~(B) in 2009; four thousand eight hundred twenty-five dollars (\$4,825);~~

**(A) in 2010, four thousand six hundred sixty dollars (\$4,660); and**

**(B) in 2011, four thousand five hundred eighty dollars (\$4,580).**

STEP TWO: Multiply the STEP ONE amount by the school corporation's complexity index.

SECTION 351. IC 20-43-5-6, AS AMENDED BY P.L.234-2007, SECTION 245, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 6. A school corporation's transition to foundation amount for a calendar year is equal to the result determined under STEP THREE of the following formula:

STEP ONE: Determine the difference of:

(A) the school corporation's foundation amount; minus

(B) the school corporation's previous year revenue foundation amount.

STEP TWO: Divide the STEP ONE result by:

~~(A) four (4) in 2008; or~~

~~(B) (A) three (3) in 2009;~~

**(B) two (2) in 2010; and**

**(C) one (1) in 2011.**

STEP THREE: A school corporation's STEP THREE amount is the following:

(A) For a charter school located outside Marion County that has previous year revenue that is not greater than zero (0), the charter school's STEP THREE amount is the quotient of:

(i) the school corporation's transition to foundation revenue for the calendar year where the charter school is located; divided by

(ii) the school corporation's current ADM.

(B) For a charter school located in Marion County that has previous year revenue that is not greater than zero (0), the charter school's STEP THREE amount is the weighted average of the transition to foundation revenue for the school corporations where the students counted in the current ADM of the charter school have legal settlement, as determined under item (iv) of the following formula:

(i) Determine the transition to foundation revenue for each school corporation where a student counted in the current ADM of the charter school has legal settlement.

(ii) For each school corporation identified in item (i), divide

the item (i) amount by the school corporation's current ADM.

(iii) For each school corporation identified in item (i), multiply the item (ii) amount by the number of students counted in the current ADM of the charter school that have legal settlement in the particular school corporation.

(iv) Determine the sum of the item (iii) amounts for the charter school.

(C) The STEP THREE amount for a school corporation that is not a charter school described in clause (A) or (B) is the following:

(i) The school corporation's foundation amount for the calendar year, if the STEP ONE amount is at least negative fifty dollars (-\$50) and not more than one hundred dollars (\$100).

~~(ii) For 2009, the school corporation's foundation amount for the calendar year, if the foundation amount in 2008 equaled the school corporation's transition to foundation revenue per adjusted ADM in 2008.~~

~~(iii)~~ (ii) The sum of the school corporation's previous year revenue foundation amount and the greater of the school corporation's STEP TWO amount or one hundred dollars (\$100), if the school corporation's STEP ONE amount is greater than one hundred dollars (\$100).

~~(iv)~~ (iii) The difference determined by subtracting fifty dollars (\$50) from the school corporation's previous year revenue foundation amount, if the school corporation's STEP ONE amount is less than negative fifty dollars (-\$50).".

Delete pages 297 through 298.

Page 299, delete lines 1 through 24.

Page 300, delete lines 23 through 42, begin a new paragraph and insert:

"SECTION 291. IC 20-43-6-3, AS AMENDED BY P.L.146-2008, SECTION 488, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 3. (a) ~~A school corporation's total regular program~~ **The basic** tuition support for a school corporation for a calendar year is **the greater of the amount of the school corporation's basic tuition support for the immediately preceding calendar year or** the amount determined under the applicable provision of this section. **A charter school's basic tuition support for a calendar year is the amount determined under the applicable provision of this section.**

(b) This subsection applies to a school corporation that has transition to foundation revenue per adjusted ADM for a calendar year that is not equal to the school corporation's foundation amount for the calendar year. The school corporation's ~~total regular program~~ **basic** tuition support for a calendar year is equal to the school corporation's

- 1 transition to foundation revenue for the calendar year.
- 2 (c) This subsection applies to a school corporation that has
- 3 transition to foundation revenue per adjusted ADM for a calendar year
- 4 that is equal to the school corporation's foundation amount for the
- 5 calendar year. The school corporation's ~~total regular program~~ **basic**
- 6 tuition support for a calendar year is the sum of the following:
- 7 (1) The school corporation's foundation amount for the calendar
- 8 year multiplied by the school corporation's adjusted ADM for the
- 9 current year.
- 10 (2) The amount of the annual decrease in federal aid to impacted
- 11 areas from the year preceding the ensuing calendar year by three
- 12 (3) years to the year preceding the ensuing calendar year by two
- 13 (2) years.
- 14 **(3) The school corporation's new facility appeal grant for the**
- 15 **immediately preceding calendar year (if any).".**
- 16 Page 301, delete lines 11 through 12.
- 17 Page 303, delete lines 5 through 28.
- 18 Page 372, delete lines 5 through 11.
- 19 Page 372, line 10, delete "IC 20-20-34; IC 20-40-4;".
- 20 Renumber all SECTIONS consecutively.
- (Reference is to EHB 1001(ss) as printed June 19, 2009.)

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Senator BRODEN